

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-13 are in the present application. It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC 112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 USC sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Attached hereto as an Appendix entitled "Version with Markings Showing Changes Made," is a marked-up version of the changes made to the claims by this Amendment.

Claims 1-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bond-Harris et al. (U.S. Patent 5,990,972) in view of Yoshio et al. (U.S. Patent 6,215,952).

Bond-Harris teaches transmitting a short audio/video "clip" which is stored in a set-top box and played on a continuous loop as a background when menus are displayed, thereby giving the appearance of a continuous data flow into the set-top box. Yoshio teaches a method of recording data on a DVD to restrict/control access to certain reproduction operations. By contrast, the present invention is a menu control apparatus that displays a transition video after an operation is selected but before the operation is executed.

For at least the following reasons, the combination of Bond-Harris and Yoshio fail to render the present invention obvious. The present invention “display[s] the response picture data in place of said menu after the operation is selected and before the operation is performed, thereby indicating a transition between said menu and the selected operation.” (Claim 1; Claims 8 and 11 contain similar limitations) Whereas, Yoshio discloses selecting a selection item (i.e. menu button) and executing a corresponding command. (Column 12, Lines 11–44) Yoshio does not disclose displaying a response picture or equivalent to indicate a transition after a button is selected but before the corresponding command is executed. Furthermore, Bond-Harris discloses buffering a short video clip which can be continuously run in the background while a menu screen is displayed in the foreground. (Column 4, Lines 26–30) Bond-Harris does not disclose replacing the displayed menu with a video clip to indicate a transition between a menu and a selected operation. While Applicants’ believe the present invention’s response picture data could be used within the framework of Yoshio and Bond-Harris to transition between a selection and subsequent command execution, neither reference discloses such a transition. Thus, neither Yoshio nor Bond-Harris discloses an equivalent to the present invention’s response picture data which is used to “indicat[e] a transition between said menu and the selected operation.” (Claims 1, 8, and 11)

Furthermore, the present invention has “response display data which provides instructions for displaying the response picture data in place of said menu after the operation is selected and before the operation is performed.” (Claim 1; Claims 8 and 11 contain similar limitations) The Examiner concedes that “Yoshio fails to explicitly teach response display data.” (Office Action page 3) Hence, the Examiner relies on Bond-Harris’ “instruction for displaying the foreground text data to overlay the background video images” to meet this limitation. (Office

E

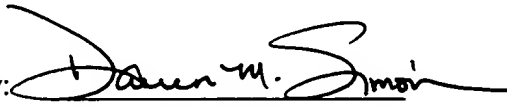
Action page 5) Hence, Bond-Harris provides instructions for displaying an audio/video clip in the background during the display of a menu (Column 4, Lines 43-49); whereas the present invention displays a video in place of said menu as a transition after an operation has been selected from the menu. Therefore, for at least these reasons, Bond-Harris and Yoshio fail to obviate the present invention and the rejected claims should be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
Darren M. Simon
Reg. No. 47,946
(212) 588-0800



Appendix
Version with Markings Showing Changes Made

IN THE CLAIMS

Please amend claims 1, 8, and 11 as follows:

—1. (Four times amended) A disk recording medium retaining menu control data for controlling a menu displayed on a screen, wherein said menu control data has a data structure including:

a video object defining a display of said menu; said video object comprising a plurality of cells;

each cell containing menu display data which determines the configuration and operations displayed on a page of said menu, the menu display data being determined at least in part on the basis of previously selected operations;

response picture data which contains pictures to be displayed when an operation is selected from said menu;

response display data which provides instructions for displaying the response picture data after the operation is selected and before the operation is performed, thereby indicating a transition between said menu and the selected operation; and

operation instructions for performing the selected operation after the response picture data is displayed.—

—8. (Four times amended) A menu control method for controlling a menu of operations for operating a disk recording medium, the menu being displayed on a screen, including the steps of:

defining a display of said menu by a video object comprising a plurality of cells;
each cell containing menu display data which determines the configuration and
operations displayed on a page of said menu;

displaying said menu including at least one menu button for selecting an operation of said disk recording medium, the displayed menu being determined at least in part on the basis of previously selected operations;

displaying [a predetermined] response picture data in place of said menu when the operation of said menu button on said menu is selected, thereby indicating a transition between said menu and the selected operation;

providing instructions in accordance with response display data for displaying the response picture data after the operation is selected and before the operation is executed;
and

executing the selected operation of said menu button after said response picture data is displayed.—

—11. (Four times amended) A menu control apparatus for controlling a menu of operations for operating a disk recording medium, the menu being displayed on a screen, comprising:

a menu display means for displaying said menu including at least one menu button for selecting an operation of said disk recording medium, the displayed menu being determined at least in part on the basis of previously selected operations and being defined by a video object comprising a plurality of cells; each cell containing menu

display data which determines the configuration and operations displayed on a page of said menu;

a response picture display means for displaying [a predetermined] response picture data in place of said menu when the operation of said menu button on said menu is selected, thereby indicating a transition between said menu and the selected operation;

means for providing instructions in accordance with response display data for displaying the response picture data after the operation is selected and before the operation is executed; and

a means for executing the selected operation of said menu button after said response picture data is displayed by said response picture display means.—